



Weekly newsletter of the Fleet Reserve Association

March 9, 2018

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**HVAC Chairman Vows to Pass AOBWN Bill This Year**

During a joint House and Senate Veterans Affairs Committee hearing, the Chairman of the House Committee, Phil Roe (Tenn.) said. "I have colleagues who are impacted by this issue. So let's get this issue off the table this year." FRA wants to thank HVAC Chairman Roe for stating in the hearing that we need to fix the "Blue Water" problem this year.

FRA supports the "Blue Water Navy Vietnam Veterans Act" introduced in both the House and Senate (H.R.299 & S.422 respectively) last year. The act clarifies service members who served off the coast of Vietnam during the conflict have a presumption for filing disability claims with the Department of Veterans Affairs (VA) for ailments associated with exposure to Agent Orange. FRA believes congress should recognize the so-called "blue water" veterans were exposed to the herbicide and authorize presumptive status for disability claims. Presumption of service connection exists for Vietnam veterans who served in country, on land and inland waterways. Enactment of H.R.299/S.422 will bring a degree of justice to tens of thousands of Navy personnel who have been denied VA services since 2002.

Members are urged to use the [FRA Action Center](#) to ask their legislators to support the "Blue Water Navy Vietnam Veterans Act" (H.R.299/S.422).

In related news, FRA National President William Starkey is scheduled to testify before the joint SVAC and HVAC hearing, Wednesday, March 14. NP Starkey will be on a panel of nine organizations. The FRA testimony addresses Agent Orange Blue Water Navy (AOBWN) reform, VA Choice reform, VA Caregiver expansion, Veterans mental health/suicide, Women's Veterans Issues and much more. The hearing begins at 10 am and can be watched on the Senate Veterans Affairs Committee's [website](#).

**FRA Staff Meet with Health Net on Implementation of TRICARE Changes**

On January 1, 2018 the Defense Health Agency (DHA) was mandated by Congress to implement extensive changes to TRICARE. The changes include going from three regions to two and implementing the new TRICARE Select program in lieu of TRICARE Standard and Extra. Recent reports indicate significant problems with implementation in the new Western Region administered by Health Net, including customer service, provider networks and delayed referrals.

Mr. Maynard, the President and CEO of Health Net, met with DLP John Davis and some other MSO staff to explain the Regional situation. He said the customer service center expected 8500 daily calls but received more than 60,000 calls the first day. Days later, there were still more than 30,000 calls coming in each day. As a result of the overload, 48 percent of the customer service calls were dropped. The new changes in the law, designates TRICARE Select as a Preferred Provider Organization (PPO) instead of a fee for service program (Standard). This means beneficiaries can use any provider but will pay more if they use a provider outside of the network. Beneficiaries are able to enroll their provider into the Health Net Federal Services (HNFS) through their [website](#).

Referrals for specialty care have also overwhelmed the system. Health Net is supposed to provide referrals in three to five days. Since customer calls initially overwhelmed the system and created a backlog of 80,000 requests for referrals in just two weeks, the DHA temporarily waived some referrals. Currently there is a backlog of 13,000 referrals. Maynard predicted the backlog will evaporate within four to six weeks.

FRA will continue to monitor the implementation of legislatively mandated changes to TRICARE and work toward a smooth transition.

### **OTH Veterans File Lawsuit Against DoD**

Thousands of Navy and Marine Corps veterans who served in Afghanistan or Iraq and have an Other Than Honorable (OTH) discharge, recently filed a class-action lawsuit against the Department of Defense (DoD). The suit alleges that the plaintiffs were unfairly given less-than-honorable discharges by the Navy, preventing them from getting their benefits. The veterans are represented by students from Yale Law School's Veterans Legal Services Clinic, which filed a similar lawsuit against the Army last year.

As reported in the February 2, 2018 NewsBytes, DoD and the Department of Veterans Affairs (VA) recently launched a web-based tool that provides customized guidance to veterans who desire to upgrade or change the conditions of their military discharge.

The tool can be found at [Vets.gov](#) site. The link is also available on [Military OneSource](#) as well as each of the review board's links listed on the Navy Board for Correction of Naval Records [website](#).

In August 2017, DoD issued detailed guidance clarifying how review boards will consider cases involving mental health conditions, including PTSD, TBI, sexual assault or sexual harassment. For more information on this issue [click here](#).

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